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**REQUEST
FOR
CONTINUED EXAMINATION (RCE)
TRANSMITTAL**

Subsection (b) of 35 U.S.C. § 132, effective on May 29, 2000,
provides for continued examination of an utility or plant application
Filed on or after June 8, 1995.
See The American Inventors Protection Act of 1999 (AIPA).

Application Number	09/822,978
Filing Date	March 30, 2001
First Named Inventor	Paul E. Bender
Group Art Unit	2661
Examiner Name	Ian N. Moore
Attorney Docket Number	010190

This is a Request for Continued Examination (RCE) under 37 C.F.R. § 1.114 of the above-identified application.

NOTE: 37 C.F.R. § 1.114 is effective on May 29, 2000. If the above-identified application was filed prior to May 29, 2000, applicant may wish to consider filing a continued prosecution application (CPA) under 37 C.F.R. § 1.53(d) (PTO/SB/29) instead of a RCE to be eligible for the patent term adjustment provisions of the AIPA. See Changes to Application Examination and Provisional Application Practice, Final Rule, 65 Fed. Reg. 50092 (Aug. 16, 2000); Interim Rule, 65 Fed. Reg. 14865 (Mar. 20, 2000), 1233 Off. Gaz. Pat. Office 47 (Apr. 11, 2000), which estimated RCE practice.

1. Submission required under 37 C.F.R. § 1.114

a. Previously submitted

- i. Consider the amendment(s)/reply under 37 C.F.R. § 1.116 previously filed on 10/06/2005.
- ii. Consider the arguments in the Appeal Brief or Reply Brief previously filed on
- iii. Other

b. Enclosed

- i. Amendment/Reply | 11/14/2005 DTESEM1 00000028 170026 09822978
- ii. Affidavit(s)/Declaration(s)
- iii. Information Disclosure Statement (IDS) 01 FC:1801 790.00 DA
- iv. Other

2. Miscellaneous

a. Suspension of action on the above-identified application is requested under 37 C.F.R. § 1.103(c) for a period of months. (*Period of suspension shall not exceed 3 months; Fee under 37 C.F.R. § 1.17(l) required*)

b. Other

3. Fees *The RCE fee under 37 C.F.R. § 1.17(e) is required by 37 C.F.R. § 1.114 which the RCE is filed.*

a. The Director is hereby authorized to charge the following fees, or credit any overpayments, to Deposit Account No. 17-0026

- i. RCE fee required under 37 C.F.R. § 1.17(e) \$790.00
- ii. Extension of time fee (37 C.F.R. §§ 1.136 and 1.117)
- iii. Other -

b. Check in the amount of \$ enclosed

c. Payment by credit card (*Form PTO-2038 enclosed*)

SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT REQUIRED

Date	11/07/2005	Signature	Jian Ma
Jian Ma, Reg. No. 48,820 Phone No. (858) 651-5527			

CERTIFICATE OF MAILING OR TRANSMISSION

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Name (Print Type)	Cris E. Johnson		
Signature	Cris E. Johnson	Date	11/07/2005

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